

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
September 20, 2011**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

ABSENT: Martinez

3. Approval of August 16 and September 6, 2011 Zoning Commission Minutes.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2010105 CD (Council District 4):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on P-15H, Abstract 16, NCB 15655, 4906 West Military Drive. Staff recommends approval.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and 1 call from People Active in Community Effort (PACE) stating no objection. Staff mailed 29 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2011169 (Council District 7):** A request for a change in zoning from “MH AHOD” Manufactured Housing Airport Hazard Overlay District to “L AHOD” Light Industrial Airport Hazard Overlay District on 4.252 acres out of Lot 1, Block 2, NCB 18562, 7512 Bandera Road. Staff recommends approval.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 22 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2011171 (Council District 5): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District on the south 75 feet of CIR 1 part of A8, NCB 2569, 301 Clay Street. Staff recommends approval pending text amendment to the South Central San Antonio Community Plan.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Lone Star Neighborhood Association. Staff mailed 16 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2011175 (Council District 8): A request for a change in zoning from "R-6 AHOD MSAO-1 MLOD-1" Residential Single-Family Airport Hazard Overlay District Camp Bullis Military Sound Attenuation Overlay District-1 Camp Bullis Military Lighting Overlay District-1 to "O-1 AHOD MSAO-1 MLOD-1" Office Airport Hazard Overlay District Camp Bullis Military Sound Attenuation Overlay District-1 Camp Bullis Military Lighting Overlay District-1 on Parcel 12, NCB 34725, 6912 Camp Bullis Road. Staff recommends approval.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Legend Hills Homeowners Association is in opposition and the Crownridge of Texas Homeowners Association is in support. Staff mailed 90 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2011176 (Council District 2): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.0242 of an acre out of NCB 1361, 706 North New Braunfels Avenue. Staff recommends approval.

Staff stated there were 26 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Havard Place/Eastlawn & Dignowity Hill Neighborhood Associations. Staff mailed 24 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2011177 CD (Council District 7): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Self Service Storage on Lot 7, Lot 8, Lot 9 and Lot 10, Block 23, NCB 18113, Wurzbach Road. Staff recommends approval.

Bob Jones, applicant, stated he would like to amend his request to include the "NA" designation.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor. Staff mailed 24 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval as amended to "C-2NA CD AHOD".

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2011180 (Council District 2): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-4" Residential Single-Family District and "C-1" Light Commercial District to "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2" Commercial District on Lots 5, 8, 18 through 22, and the north 40 feet of Lot 9, Block 1, NCB 10331 generally located at the southwest corner of Roland Avenue & Aurelia Street. Staff recommends approval.

Staff stated there were 47 notices mailed out to the surrounding property owners, 9 returned in opposition and 8 returned in favor and no response from Artesia Community Guild.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2011185 (Council District 2): A request for a change in zoning from multiple zoning districts to multiple zoning districts to add the Westfort Alliance Neighborhood Conservation District-9 on multiple lots generally bound by Brackenridge and Beebe Loop streets to the north, North Pine Street to the east, East Josephine Street to the south, and Broadway to the west. Staff recommends approval.

Staff stated there were 188 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 returned in favor and no response from Westfort Alliance Neighborhood Association. Staff mailed 14 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2011184 (Council District 3): A request for a change in zoning from "C-2NA" Commercial Nonalcoholic Sales District to "R-6" Residential Single-Family District on Lot 1, Block 2, NCB 7521, save and except that portion conveyed to the City of San Antonio in Volume 4752, Page 172, Real Property Records of Bexar County located at 1702 Rigsby Avenue. Staff recommends approval.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2011186 S (Council District 8): A request for a change in zoning from "MF-33 AHOD" Multi Family Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Hospital on the southwest 315 feet of the west 310 feet of Lot 40, Block 1, NCB 12811 (also known as 2.241 acres out of NCB 12811), 1975 Babcock Road. Staff recommends approval.

Lori Orr, representative, stated she would like to amend his request to include the "NA" designation.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Dreamhill Estates Neighborhood Association. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval as amended to "C-2NA S AHOD".

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2011187 (Council District 5): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on Lot 23, Block 10, NCB 2249, 407 North Zarzamora. Staff recommends approval.

Staff stated there were 41 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Prospect Hill Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Anguiano to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2011178 (Council District 3): A request for a change in zoning from "C-3" General Commercial District and "I-1" General Industrial District to "C-3" General Commercial District on Lots 31 and 33, NCB 10846, 4606 & 4614 East Southcross Boulevard.

Patrick Christensen, representative, stated he would like to postpone this case.

COMMISSION ACTION

The motion was made by Commissioner Anguiano seconded by Commissioner McFarland to recommend to postpone this case.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

16. ZONING CASE NUMBER Z2011135 (Council District 5): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a conditional use for mini-storage units to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 34, Block 18, NCB 8280 together with that portion of Colby Street adjacent to and north of Lot 34 abandoned by Ordinance No. 98915 of the City of San Antonio (also known as P-100 by the Bexar County Appraisal District), Lot 49, Block 18, NCB 8280, and Lots 15 through 24, Block 17, NCB 8284, 414, 418 & 422 N. General McMullen. Staff recommends denial.

Jose Gallegos, representative, stated he would like to request a continuance until November 1, 2011 to allow for meeting with the District 5 Commissioner to present and address any concerns regarding their proposal.

The following citizen(s) appeared to speak:

Eiginio Rodriguez, stated he is in opposition of this request. He stated in meeting with the owner he was informed that the request was for a janitorial service facility and was later informed they are proposing a tattoo parlor. He further stated the Loma Vista Neighborhood Association has submitted a letter to staff expressing their opposition.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Christian to recommend a continuance until November 1, 2011.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2011139 ERZD (Council District 10): A request for a change in zoning from "C-2 PC-1 ERZD" Commercial Bulverde Preservation Corridor Overlay Edwards Recharge Zone District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "R-6 PC-1 ERZD" Single-Family Residential Bulverde Preservation Corridor Overlay Edwards Recharge Zone District and "R-6 ERZD" Single-Family Residential Edwards Recharge Zone District on 15.492 acres out of NCB 34920 located at the southeast corner of Bulverde Road and Canyon Parkway. Staff recommends approval.

Andrew Guerrero, representative, stated the purpose of this request is to allow for single-family development on the subject property. He further stated as part of this development there will be approximately 3 acres of open space that will be provided and landscape area that will consist of masonry wall and there will be no access on Bulverde Road.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval provided that the impervious cover does not exceed 38% of the site.

AYES: Tiller, McFarland, Christian, D. Martinez, Anguiano, McNealy, Nava

NAY: Ornelas

THE MOTION CARRIED

18. ZONING CASE NUMBER Z2011142 ERZD (Council District 8): A request for a change in zoning from "QD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Specific Use Authorization for Blasting and Asphaltic Concrete and "QD CD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Conditional Use and a Specific Use Authorization for Blasting and Asphaltic Concrete to "MF-18 MLOD ERZD AHOD" Limited Density Multi-Family Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 8.552 acres and "C-2 MLOD ERZD AHOD" Commercial Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 21.599 acres on 30.151 acres out of NCB 17700 located northwest of the intersection of North Loop 1604 West and Northwest Military Highway. Staff recommends approval of "C-2" and denial of "MF-18".

Daniel Ortiz, representative, stated he is requesting this change in zoning to allow for multi-family and commercial development on the subject property. He further stated they are requesting to remove 30 acres of "QD" with the potential for blasting off the recharge zone.

The following citizen(s) appeared to speak:

Eiginio Rodriguez, stated we need to be aware of how our decisions today impact the future.

Gene Dawson, engineer, stated they have already constructed the diversion channel which takes this whole area into the detention pond which will reduce the flooding thru Shavano Park.

Staff stated there were 26 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Christian seconded by Commissioner D. Martinez to recommend approval.

AYES: Tiller, McFarland, Christian, D. Martinez, Anguiano, McNealy, Nava

NAY: Ornelas, Salazar

THE MOTION CARRIED

19. **ZONING CASE NUMBER Z2011148 ERZD (Council District 9):** A request for a change in zoning from "C-3 MLOD ERZD" General Commercial Military Lighting Overlay Airport Hazard Overlay District to "MF-25 MLOD ERZD" Low Density Multi-Family Military Lighting Overlay Airport Hazard Overlay District on 23.849 acres out of NCB 19218 located northwest of the intersection of U. S. Highway 281 North and Stone Oak Parkway. Staff recommends approval.

Ashley Farrimond, representative, stated they are requesting a down zoning for the subject property so that may develop multi-family. She further stated they have received a letter of support for Stone Oak Property Owner's Association and are in agreement with SAWS recommendation of 50% impervious cover.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Stone Oak Property Owner's Association is in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McNealy seconded by Commissioner McFarland to recommend approval with SAWS recommendation of 50 % impervious cover.

AYES: Tiller, McFarland, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: Ornelas

THE MOTION CARRIED

20. **ZONING CASE NUMBER Z2011172 (Council District 2):** A request for a change in zoning from "R-5 H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District to "NC IDZ H AHOD" Neighborhood Commercial Infill Development Zone Government Hill Historic Airport Hazard Overlay District on Lot 14, Block 8, NCB 1276, 309 Pierce Street. Staff recommends denial.

John Yoggerst, applicant, stated he is proposing to develop a professional office on the subject property.

The following citizen(s) appeared to speak:

Stella Ashlynn, Vice President of Government Hill Alliance, stated they do not support the proposed zoning request. She further stated she has lived in the neighborhood since 1953 and has seen the community change. She stated their intent is to maintain the residential character of the neighborhood.

Jackie Johnson, representing San Antonio for Growth on the Eastside (SAGE), stated they support Mr. Yoggerst in the proposed office development on the subject property. She stated SAGE helps Eastside businesses expand and grow and support new businesses joining their community.

Virginia Van Cleave, representing San Antonio Conservation Society, stated they are in opposition of this request, as this would encourage commercial encroachment into the neighborhood.

Jo Ann Murrillo, stated she has been a member of St. Patrick's Church and Government Hill Neighborhood Association for 47 years and they strongly oppose this request.

Donna Liston, stated she support this zoning change. She stated the property has been vacate for many years and does not feel the subject property is suitable for residential living.

Gilbert Murrillo, Chair of Government Hill Alliance Housing Initiative Committee, stated the neighborhood has taken a vote and have voted against the proposed office building.

Rose Hill, stated she does not support this request. She feels this would threat their residential character of the neighborhood.

Raymundo Rivera, stated he would also like to express his opposition of the proposed zoning change. He stated the proposed development would hinder the residential character of the neighborhood and encourage commercial encroachment.

Steve Mazurek, stated he would also like to express his opposition. He stated the community has worked very hard in beautifying their neighborhood and allowing such office development would destruct their community.

Ed Markwardt, stated he supports the propose development. He feels this property has been vacant for many years because it is not suitable for residential development.

Alane Rivera, stated she would also like to express her opposition to the propose zoning request. She expressed concerns with allow such commercial designation would open doors for other unwelcome businesses such as bars and tavern that are not welcomed in the neighborhood. She also express concerns with increase in traffic the propose development would bring into the neighborhood.

Al Campbell, stated he does not support the proposed commercial designation. He feels this would have a negative impact on the community.

Joe Ashcroft, President of Government Hill Alliance, stated they do not want to create a precedence of building or establishing commercial businesses within their residential neighborhood.

Margarita Mondragon, stated she strongly oppose the proposed zoning change. She expressed concerns with such change this would have a negative impact on their property values.

Marie Stout, stated the community has worked very hard to maintain the residential character of the neighborhood. She strongly opposes this request.

Marlene Hawkins, President of Government Hill Community Association, stated she support this change as this would help beautify the neighborhood.

Staff stated there were 25 notices mailed out to the surrounding property owners, 11 returned in opposition and 1 returned in favor. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend denial.

AYES: Tiller, McFarland, Christian, D. Martinez, Salazar, Anguiano, McNealy, Nava

NAY: None

THE MOTION CARRIED

21. ZONING CASE NUMBER Z2011179 (Council District 2): A request for a change in zoning from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District on 62.273 acre tract of land out of NCB 35132 located at Foster Road and Foster Meadows Drive (Foster Meadow Subdivision). Staff recommends denial pending master plan amendment.

Harry Jewett, representative, stated the purpose of this zoning request is to allow for single-family development on the subject property. He stated the plan amendment was presented and approved by Planning Commission on August 24, 2011.

Staff stated there were 63 notices mailed out to the surrounding property owners, 1 returned in opposition and 28 returned in favor. Staff mailed 30 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Christian to recommend approval.

AYES: Tiller, McFarland, Christian, D. Martinez, Anguiano

NAY: McNealy, Nava

THE MOTION FAILED

COMMISSION ACTION

The motion was made by Commissioner McNealy seconded by Commissioner Nava to recommend denial.

AYES: McFarland, McNealy, Nava

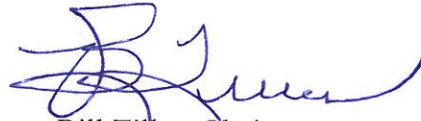
NAY: Tiller, Christian, D. Martinez, Anguiano

THE MOTION FAILED

Chairman Tiller stated this case would automatically be continued until October 4, 2011.

22. There being no further business, the meeting was adjourned at 3:44 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary